

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 328 OF 2023

Rahul Pandit Lad ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Mr. Sandip Kagade for the Applicant.

Mr. Amit Palkar, APP for the State.

Mr. Manas Gawankar for Respondent No.2.

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CORAM : N.R. BORKAR, J.

DATED : 21 MARCH 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 505 of 2021 registered at Juna Rajwada Police Station, Kolhapur for the offences punishable under Section 377 of Indian Penal Code and Sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012.

3. I have heard the learned Counsel for the applicant, the learned APP for the State and learned Counsel for Respondent No.2.

4. According to the prosecution, on the date of incident, which took place on 23 October 2021 the present applicant committed unnatural sex with the victim-boy.

5. I have perused the statement of the victim recorded under Section 164 of Cr.P.C. Prima facie, from his statement it appear to be a case of attempt. The applicant is in jail for more than 1½ years. There are no other criminal antecedents. I am therefore inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Rahul Pandit Lad be released on bail in Crime No. 505 of 2021 registered at Juna Rajwada Police Station, Kolhapur for the offences punishable under Section 377 of Indian Penal Code and Sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall not enter into the limits of Juna Rajwada Police Station, Kolhapur, till conclusion of trial.
- (iv) The applicant shall provide his residential address where he is going to reside after his release and mobile number, if any to the concerned police station.

(N.R. BORKAR, J.)